

Report Date: September 2, 2011

PROB 12C
(7/93)

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

SEP 02 2011

JAMES R. LARSEN, CLERK
DEPUTY
RICHLAND, WASHINGTON

Name of Offender: Devin W. Prouty

Case Number: 2:09CR02094-004

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, U.S. District Judge

Date of Original Sentence: 5/12/2010

Original Offense: Unauthroized Excavation, Removal, Damage, Alteration, or Defacement of
Archeological Resources, 16 U.S.C. § 470ee

Original Sentence: Probation - 24 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Jane Kirk Date Supervision Commenced: 6/30/2011

Defense Attorney: Federal Defenders Office Date Supervision Expires: 8/3/2011

PETITIONING THE COURT

To incorporate the violations contained in this petition in future proceedings with the violations previously reported to the Court on July 20, 2011.

The probation officer believes that the offender has violated the following conditions of supervision:

Violation Number Nature of Noncompliance

4

Special Condition # 18: You shall undergo a substance abuse evaluation and, if indicated by a licensed/certified treatment provider, enter into and successfully complete an approved substance abuse treatment program, which could include inpatient treatment and aftercare. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Mr. Prouty has failed to attend scheduled drug and alcohol treatment appointments at Dependency Health Services in Goldendale, Washington, on August 24, 2011.

On August 1, 2011, Mr. Prouty obtained a drug and alcohol evaluation at Dependency Health Services in Goldendale. On August 18, 2011, he completed his intake and was scheduled to start treatment on August 24, 2011. According to staff at Dependency Health Services, Mr. Prouty was a no show for treatment.

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- 5 **Special Condition # 14:** You shall complete 150 hours of community service work, at the rate of not less than 24 hours per month at a not-for-profit site approved in advance by the supervising probation officer. The hours are to be completed in full no later than April 23, 2010.

Supporting Evidence: Mr. Prouty has failed to complete any community services hours as directed as of September 1, 2011.

On June 30, 2011, Mr. Prouty was given information of a contact name and telephone number so he could commence his community services hours. On August 1, 2011, this officer advised the defendant he would be contacted by Michael Broncheau from the Columbia River Inter-Tribal Fisheries Enforcement to start his community service hours. According to Mr. Broncheau, Mr. Prouty was a no show for his scheduled community service work scheduled on August 8, 2011. On August 19, 2011, this officer once again gave the defendant Mr. Broncheau's telephone number to get community service hours done. According to Mr. Broncheau, the defendant has yet to make arrangements to perform any of his hours as of September 1, 2011.

- 6 **Standard Condition # 3:** The defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.

Supporting Evidence: Mr. Prouty failed to report as directed to the Washington State Department of Corrections' Office (DOC) in Goldendale, Washington, and submit to a random urinalysis test before 4:30 p.m. on September 1, 2011.

On September 1, 2011, this officer communicated with Mr. Prouty via text messaging. The defendant was directed to report to the DOC office in Goldendale and submit to a urinalysis test. Mr. Prouty failed to do so as directed.

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I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 09/02/2011

s/Jose Zepeda

Jose Zepeda
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☒ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Other



Signature of Judicial Officer



Date